

## **§ 550.10**

- 550.52 Non-residential drug abuse treatment services.
- 550.53 Residential Drug Abuse Treatment Program (RDAP).
- 550.54 Incentives for RDAP participation.
- 550.55 Eligibility for early release.
- 550.56 Community Transitional Drug Abuse Treatment Program (TDAT).
- 550.57 Inmate appeals.

AUTHORITY: 5 U.S.C. 301; 18 U.S.C. 3521-3528, 3621, 3622, 3624, 4001, 4042, 4046, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006-5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 21 U.S.C. 848; 28 U.S.C. 509, 510; Title V, Pub. L. 91-452, 84 Stat. 933 (18 U.S.C. Chapter 223).

### **Subpart A [Reserved]**

### **Subpart B—Alcohol Testing**

#### **§ 550.10 Purpose and scope.**

The Bureau of Prisons maintains a surveillance program in order to deter and to detect the illegal introduction or use of alcohol in its institutions. In an effort to reduce the introduction or use of alcohol, the Warden shall establish procedures for monitoring and testing individual inmates or groups of inmates who are known or suspected to be users of alcohol, or who are considered high risks based on behavior observed or on information received by staff.

(a) Staff may prepare a disciplinary report on an inmate who shows a positive substantiated test result for alcohol.

(b) Staff may initiate disciplinary action against an inmate who refuses to submit to an alcohol test.

[45 FR 33940, May 20, 1980]

### **Subpart C [Reserved]**

### **Subpart D—Urine Surveillance**

SOURCE: 62 FR 45292, Aug. 26, 1997, unless otherwise noted.

#### **§ 550.30 Purpose and scope.**

The Warden shall establish programs of urine testing for drug use, to monitor specific groups or individual inmates who are considered as high risk for drug use, such as those involved in community activities, those with a his-

## **28 CFR Ch. V (7-1-11 Edition)**

tory of drug use, and those inmates specifically suspected of drug use. Testing shall be performed with frequency determined by the Warden on at least 50 percent of those inmates who are involved in community activities. In addition, staff shall randomly sample each institution's inmate population during each month to test for drug use.

#### **§ 550.31 Procedures.**

(a) Staff of the same sex as the inmate tested shall directly supervise the giving of the urine sample. If an inmate is unwilling to provide a urine sample within two hours of a request for it, staff ordinarily shall file an incident report. No waiting period or extra time need be allowed for an inmate who directly and specifically refuses to provide a urine sample. To eliminate the possibility of diluted or adulterated samples, staff shall keep the inmate under direct visual supervision during this two-hour period, or until a complete sample is furnished. To assist the inmate in giving the sample, staff shall offer the inmate eight ounces of water at the beginning of the two-hour time period. An inmate is presumed to be unwilling if the inmate fails to provide a urine sample within the allotted time period. An inmate may rebut this presumption during the disciplinary process.

(b) Institution staff shall determine whether a justifiable reason exists, (e.g., use of prescribed medication) for any positive urine test result. If the inmate's urine test shows a positive test result for the presence of drugs which cannot be justified, staff shall file an incident report.

### **Subpart E—Drug Services (Urine Surveillance and Counseling for Sentenced Inmates in Contract CTCs)**

SOURCE: 48 FR 24624, June 1, 1983, unless otherwise noted.

#### **§ 550.40 Purpose and scope.**

The Bureau of Prisons requires that an inmate who is serving a sentence in a contract community treatment center (CTC) participate in a program of